

UNITED STATES DISTRICT COURT

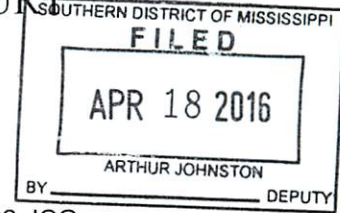
for the
Southern District of Mississippi

United States of America

v.

Brian Kenneth Evans

Case No. 1:16mj22-JCG



Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 16, 2016 in the county of Harrison in the
Southern District of MS, Southern Division, the defendant(s) violated:

Code Section
 21 U.S.C. 841(a)(1)

Offense Description
 Possession with Intent to Distribute a Controlled Substance.

This criminal complaint is based on these facts:

See affidavit attached hereto and incorporated herein

☒ Continued on the attached sheet.

A handwritten signature in blue ink, appearing to read "Adam Gibbons".

Complainant's signature

 Adam Gibbons, Special Agent DEA

Printed name and title

Sworn to before me and signed in my presence.

Date: 04/18/2016City and state: Gulfport, MS

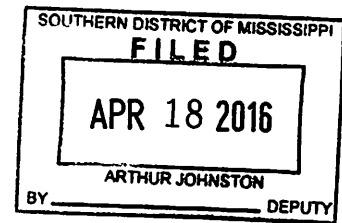
A handwritten signature in blue ink, appearing to read "John C. Gargiulo".

Judge's signature

 John C. Gargiulo, U.S. Magistrate Judge

Printed name and title

**Affidavit in Support
Of
Criminal Complaint**



Defendants:

Brian Kenneth EVANS

Your Affiant, Adam Gibbons, being duly sworn, deposes and states the following:

Introduction

I am a Task Force Agent with the Drug Enforcement Administration (DEA), Gulf Coast HIDTA Group. My parent agency is the Gulfport Police Department, where I hold the rank of Detective Sergeant in the Narcotics Division. I am currently assigned as a Task Force Agent with the Drug Enforcement Administration's Gulfport Resident Office (GRO). The DEA Task Force in Gulfport, Mississippi, is made up of Special Agents from the DEA, Special Agents from Homeland Security Investigations (HSI), Agents from the Mississippi Bureau of Narcotics (MBN), and Detectives from the Police Departments of Biloxi, Harrison County, Jackson County, and Gulfport. I have been assigned to the DEA Task Force in Gulfport, Mississippi for approximately 4 1/2 years. I have been employed by the Gulfport, Mississippi Police Department as a Police Officer since July, 2000. My primary duties at the DEA/Gulf Coast HIDTA include the investigation of organized narcotics traffickers. I have participated in numerous narcotics investigations, during the course of which I have conducted or participated in: physical and wire surveillances, including previous Title III investigations, undercover transactions, the introduction of undercover agents, the execution of search warrants, debriefing of informants, and reviews of taped conversations and drug records. I have also been the Affiant for search warrants and arrest warrants. Through my training, education, and experience, I have become familiar with the manner in which illegal drugs are transported, stored, and distributed and the methods of payments for such drugs.

Probable Cause Factual Basis

1. On Saturday April 16, 2016, at approximately 11:47 p.m., Gulfport Police K9 Officer Jason Vincent responded to a domestic violence call involving a firearm at 4005 Ponderosa Drive located in the city limits of Gulfport, MS. Upon arrival K9 Officer Vincent learned that the suspect identified as Brian Kenneth EVANS fled in a Mercury Grand Marquis with Alabama License Tag: 2AH5952. K9 Officer Vincent interviewed the victim and noticed physical injuries to the female victim's left bicep and left elbow which were described by the officer as "injuries consistent with the victims statement and a domestic assault." The victim also reported being threatened with a handgun, with the suspect Brian EVANS stating "I will kill you if you call the police." K9 Officer Jason Vincent placed a Police BOLO (Be On the Look Out), for the suspect and the suspect vehicle.
2. On April 16, 2016 at approximately 11:56 p.m. (9 minutes after the original call) Gulfport Police Department Patrol Officer Oduniyi observed the vehicle traveling north in the 9300 block of Highway 49 and conducted a stop on the vehicle. Officer Oduniyi identified the driver as Brian Kenneth EVANS and arrested him for domestic assault.

During a search of EVANS person, Officer Oduniyi located 3.3 grams of Cocaine HCl and 5.8 grams of Marijuana on EVANS person located in his pants pocket.

3. During a search of the vehicle, Officer Oduniyi located 97 dosage units of MDMA (ecstasy), 108 grams of Methamphetamine, 208 grams of Cocaine Hcl., Norinco SKS Assault Rifle, Ruger P90, 9mm Pistol, Velcox 22 caliber, Pistol and a Colt Python, 357 Revolver. A check was conducted on the firearms and the Colt Python 357 revolver was listed stolen and entered as stolen by the Baton Rouge, Louisiana Police Department.
4. EVANS was transported to the Gulfport, Mississippi Police Department where EVANS invoked his Miranda Rights and requested an attorney before answering any questions. Gulfport Police Narcotics Detectives conducted presumptive field test on the MDMA, Cocaine, and Methamphetamine, and received positive results on all three substances. EVANS was charged with Domestic Assault by the Gulfport Police Department and held for DEA on Federal Drug Charges.

CONCLUSION

Based upon my experience as a DEA Task Force Agent and the facts listed above involving Brian Kenneth EVANS, it is my opinion that there is probable cause to believe that violations of Title 21, United States Code, Section 841, have been committed in the Southern District of Mississippi by Brian Kenneth EVANS involving the distribution and transportation of MDMA, Methamphetamine, and Cocaine. I, Adam Gibbons, under penalty of perjury, under the laws of the United States of America, do hereby declare, certify, verify and state, that the foregoing is true and correct to the best of my knowledge.



Adam Gibbons
Task Force Agent
Drug Enforcement Administration

Sworn and subscribed to me this 18 day of April, 2016.



UNITED STATES MAGISTRATE JUDGE